

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SECURITIES AND EXCHANGE)	
COMMISSION,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 3:08-cv-02050 (SAF)
)	
MARK CUBAN,)	
)	
Defendant.)	
)	

MARK CUBAN'S MOTION FOR ATTORNEYS' FEES AND EXPENSES

Mark Cuban moves for an order requiring Plaintiff Securities and Exchange Commission to pay the attorneys' fees and out-of-pocket litigation expenses he has incurred in this case.

This motion is supported by an accompanying memorandum of law.

Respectfully submitted,

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/s/ Lyle Roberts

By: _____

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CERTIFICATE OF SERVICE

On August 28, 2009, I electronically submitted Mark Cuban's Motion for Attorneys' Fees and Expenses, Proposed Order, the Memorandum of Law of Mark Cuban in Support of Motion for Attorneys' Fees and Expenses, and the Appendix with the Clerk of Court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the Court. I hereby certify that I have served all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Lyle Roberts

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